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RUEHNE/AMEMBASSY NEW DELHI PRIORITY 9766
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RUEHKO/AMEMBASSY TOKYO PRIORITY 2239
RUEHCG/AMCONSUL CHENNAI PRIORITY 6739
RUEHBI/AMCONSUL MUMBAI PRIORITY 4616
RUEHON/AMCONSUL TORONTO PRIORITY 0035
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RUEHGV/USMISSION GENEVA PRIORITY 1239
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SUBJECT: AMBASSADOR USES FAREWELL CALL ON PRESIDENT
RAJAPAKSA TO URGE TOUGH STEPS ON PEACE AND HUMAN RIGHTS

Classified By: Ambassador Jeffrey J. Lunstead for reasons
1.4 (b) and (d).

11. (C) Summary. During the Ambassador's July 4 farewell call, President Rajapaksa evinced confidence that his all-party effort will produce a viable document on the future of the country and made clear that he has no plans to ditch his radical political ally, the JVP. He listened carefully to the Ambassador's admonitions on the importance of strong human rights standards in the Sri Lankan security forces and reiterated his personal commitment to human rights. Rajapaksa did not convey a sense of urgency in putting forward a public document on the future of the nation but deserves credit and our continued support for his willingness to return to the peace table despite ongoing provocations by the LTTE. End Summary

Three Years Later

12. (C) The Ambassador, accompanied by DCM (notetaker), paid a farewell call on Sri Lankan President Mahinda Rajapaksa July 4 at "Temple Trees" in Colombo. The Ambassador opened by noting that when he had arrived three years ago, it had been a time of hope and optimism on the peace front. Sadly, that was not the case as he prepared to finish his duties in Sri Lanka since the earlier optimism had never turned into concrete progress. If anything, the opposite was now the case. Rajapaksa agreed, saying there are "problems, problems." The Ambassador told the President that U.S. support for the democratic government of Sri Lanka in its struggle against brutal terrorists was strong and would continue. He reviewed for the President U.S. efforts, and the response of other countries to those efforts, to crack down on Liberation Tigers of Tamil Eelam (LTTE) access to financial and arms flows, noting the unprecedented nature of this initiative.

13. (C) The President thanked the Ambassador for his assurances and reiterated that his government remains committed to peace and ready to sit down with the LTTE. He said he understood that visiting Sinn Fein official Martin McGuinness, in his meetings July 3 with LTTE leadership in Kilinochchi, had urged them to go to the table and also reviewed for them the history of how the IRA had gradually transformed itself as part of the peace process in Northern Ireland. Asked by the Ambassador about reports that Rajapaksa had opened up a direct channel to the Tigers through Colombo-based Tamil journalists, the President said the accounts were overblown by the media although he had asked Tamil editors who met regularly with the LTTE leadership to reiterate that his government is always ready to talk. The President declined to be drawn out on the July 3 visit to Colombo by Indian Foreign Secretary Saran.

All-Party Progress?

14. (C) The Ambassador asked the President for an update on his all-party congress effort. Would a political proposal be forthcoming soon? The President launched into a discussion of the opposition United National Party (UNP) leadership which he said was not being helpful, although he had gotten a promise of cooperation from UNP leader Ranil Wickremesinghe when the two had recently been at the same religious function. The President told the Ambassador that the UNP said they could work with the President's Sri Lanka Freedom Party (SLFP) if the SLFP broke ties with the JVP. Indeed, UNP envoy Milinda Moragoda had explicitly asked for this in a recent call on the President. Rajapaksa had refused and told the Ambassador that keeping the JVP on board was essential,

COLOMBO 00001103 002 OF 003

even when they were being unhelpful on issues like the upcoming parliamentary debate on the restructuring of the Ceylon Electricity Board (CEB) (which the President noted would have to be postponed since the Attorney General had just told him the legislation needed further attention from the government legal draftsman).

15. (C) The Ambassador asked the President if it wasn't the case that he might have to take on the JVP in order to put forward a political plan acceptable to Tamils. The President demurred, noting that the JVP had already made clear that it would accept the "Indian model" of devolution. The Ambassador noted that the "Indian model" meant different things to different people and that the JVP had said seemingly contradictory things about devolution/federalism over the years. That said, polls showed that the majority of Sri Lankans supported some form of devolution. "If the majority backs me, we will go with that (devolution)," Rajapaksa stated. The Ambassador commented that, in his view, it is important for the government to get its political vision for the country out in public so that Tamils and Muslims will have a sense that the government is committed to their welfare.

Government Restraint

16. (C) The Ambassador told the President that it had been widely noted that the government had not responded militarily after the June 26 LTTE assassination of Army Deputy Chief of Staff Kulathunga. Rajapaksa replied that even before his brother, Defense Secretary Gothabaya Rajapaksa, had left on a recent trip to the United States, they had decided not to react militarily to the next Tiger provocation since that would be exactly what the Tigers wanted them to do. Moreover, it would underline that, no matter the provocation, the government is committed to peace even though, Rajapaksa commented, "the South" sometimes wants retaliation.

President Agrees Good Conduct Essential

¶17. (C) Continuing on the military theme, the Ambassador reviewed U.S. military assistance for the President and noted that it was not designed to increase the possibility of war but to make clear to the Tigers that they couldn't win a conventional war (Rajapaksa nodded). In particular, the U.S. was working to expedite a few items of importance to the Sri Lankan military. The Ambassador cautioned the President that it would be very difficult to continue such assistance if the perception continued to grow that some elements of the security forces were out of control and committing abuses. The most recent example had been in Pesalai near Mannar where it appeared Navy personnel had thrown a hand grenade into a church sheltering Tamils. This kind of incident needed to stop and serious investigations of previous incidents needed to take place.

¶18. (C) The President noted that not all security forces were misbehaving. He claimed the Army in Jaffna is now receiving intensive human rights training and its behavior is generally good. Regarding possible abuses by Navy personnel at Pesalai, the President said he had ordered a full investigation by a panel which would include three retired judges and three senior military personnel. "I will send you their report." He said he had also ordered the Navy to improve its outreach effort in the Mannar area, especially in fishing communities since fishermen are frequently forced by the Tigers to use their boats as shields for Sea Tiger boats during attacks on Navy bases.

COLOMBO 00001103 003 OF 003

¶19. (C) Beyond Mannar, the President said he had issued a general instruction to all military commanders that "bad characters" should be removed from the forces. The Ambassador said he did not doubt the President's commitment to human rights and good military conduct but it was essential that the troops in the field understand what constituted acceptable behavior and that serious investigations and prosecutions occur when appropriate. He noted recent allegations of possible abuses by U.S. troops in Iraq. Such things perhaps are inevitable when fighting a guerrilla war but the important point was that the allegations were being investigated and arrests have been made. Rajapaksa nodded.

U.S. Support Steadfast

¶10. (C) The Ambassador concluded by telling the President how much he had enjoyed his three years as U.S. ambassador to Sri Lanka. While things had not gone as hoped for on the peace front, he remained confident that the people and leaders of Sri Lanka would eventually find the path to peace. The United States stood ready to help in every appropriate way. Rajapaksa thanked the Ambassador for his efforts and support and wished him well.

Comment

¶11. (C) Once again, the President left us with little doubt that he is genuinely committed to finding a peaceful, democratic solution to Sri Lanka's political woes. Equally strong, however, is our sense that he has only a vague notion of how to proceed constructively on peace and that his hands are tied by insistence on keeping the JVP on board. He certainly did not give the sense that the all-party effort is operating with a sense of urgency and is likely to produce a public document soon (although Prime Minister Wickremanayake, during the Ambassador's farewell chat with him the day before, had outlined a process in which all parties would submit proposals by the end of this week). Similarly, we have no doubt that the President, who cut his political teeth as a human rights lawyer in the dark days of the JVP insurrection, is committed to better behavior by his troops

and to serious human rights investigations. But, does he have the political strength to translate that personal commitment into improvements on the ground? That said, the fact remains, that President Rajapaksa and this government deserve credit for continuing to make clear their willingness to return to the negotiating table in the face of ongoing Tiger provocations. What is lacking is a strategic vision but that unfortunately is in short supply in the political class here.

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